IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WP(C).No. 6878 of 2004(R)

PETITIONERS:
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1. T.RAJASENAN, METER READER,
KERALA WATER AUTHORITY, GENERAL SECRETARY,
METER INSPECTORS AND METER READERS UNION,
NORTH SUB DIVISION, KOWDIAR, THIRUVANANTHAPURAM.

2. M.MUHAMMED HUSSAIN, METER READER,
KERALAN WATER AUTHORITY, CENTRAL SUB DIVISION,
VELLAYAMBALAM, THIRUVANANTHAPURAM

BY ADV. SRI.P.GOPALAKRISHNAN NAIR

RESPONDENTS:
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1. KERALA WATER AUTHORITY, REPRESENTED
BY THE MANAGING DIRECTOR, JALABHAVAN, VIKAS
BHAVAN P.O., THIRUVANANTHAPURAM

2. S.SURESH BABU, PEON, HEAD OFFICE,
THIRUVANANTHAPURAM

3. H.YESUDASAN, PEON, SEW (S) SUB DIVISION
KURIATHY, THIRUVANANTHAPURAM.

BY ADV. SRI.C.UNNIKRISHNAN, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 6878/2004 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER GO P NO. 515/85/FIN DT. 16/09/85.

EXT.P2. COPY OF THE FINAL SENIORITY LIST OF LAST GRADE SERVANTS QUALIFIED FOR APPOINTMENT BY TRANSFER AS METER READERS AS ON 1/7/99.

EXT.P3. COPY OF THE CIRCULAR NO. KWA/JB/E1/1883/02 DT. 8/2/2002.

EXT.P4. COPY OF THE PROCEEDINGS OF THE RESPONDENT (ORDER) NO. KWA/JB/E1/ 1883/02 DT. 11/6/02.

EXT.P5. COPY OF THE LIST OF EMPLOYEES ENGAGED BY THE RESPONDENT FROM KUDUMBASREE REF. TD. MC 106/03 DT. 8/5/03.

EXT.P6. COPY OF THE REPRESENTATION FILED BY THE PETITIONERS THROUGH THEIR UNION DT. 14/3/2002.

EXT.P7. COPY OF THE REPRESENTATION FILED BY THE PETITIONERS THROUGH THEIR UNION DT. 4/12/2003.

EXT.P8. COPY OF THE LETTER NO. 1013/F10/HO/KWA/03 DT. 5/2/2003.

RESPONDENT'S EXHIBITS **NIL**

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K.BALAKRISHNAN NAIR, J.

W.P.(C) No.6878 of 2004-R

Dated this the 13th day of July, 2007.

J U D G M E N T

The petitioners are Meter Readers, working under the Kerala Water Authority. They have approached this Court mainly challenging Ext.P4 order by which Last Grade Servants have been deployed to work as Meter Readers. The said deployment is made based on Ext.P3 Circular. They are desirous of getting promotion to the post of Meter Inspector. The strength of Meter Inspector and Meter Reader is 1:4. If the vacancies in the cadre of Meter Reader are not filled up in accordance with the Special Rules, the petitioners cannot get the ratio promotion. So, they attack the deployment of Last Grade Servants and others to the post of Meter Reader under Ext.P4 order, in the light of Ext.P3 Circular.

2. The Kerala Water Authority would submit that the deployment under Ext.P4 is a temporary measure. The deployed hands will continue to be in their parent post and will draw only the salary to that post. It is not a posting on promotion. Further, it is submitted that as and when vacancies arise in the post of Meter Inspector created by upgradation of 12.5% of Meter Readers, the eligible hands will be promoted to those vacancies. So, the promotion chances of the Meter Readers are not affected in any way by the impugned proceedings. I think the above submission of the Kerala

Water Authority will redress the grievance of the petitioners.

The Writ Petition is disposed of recording the above submission. If the petitioners have any subsisting grievance, they will be free to take it before the competent authority by submitting appropriate representations with a copy of this judgment.

K.BALAKRISHNAN NAIR,
JUDGE.

MS